

Settlement

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOHN CARFAGNO, derivatively on behalf of  
CENTERLINE HOLDING COMPANY,

Plaintiff,

v.

MARC D. SCHNITZER, *et al.*,

Defendants.

TONY BROY, derivatively and on behalf of  
Nominal Defendant CENTERLINE HOLDING  
COMPANY,

Plaintiff,

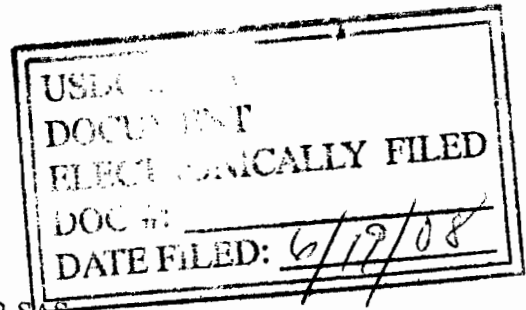
v.

JEFF T. BLAU, *et al.*,

Defendants.

08-CV-00912-SAS

08-CV-01971-SAS



**STIPULATION AND PROPOSED ORDER**

The parties have conferred and agree to the following schedule to be entered by the Court in the above-captioned matter:

WHEREAS, defendants filed a motion to dismiss on May 12, 2008;

WHEREAS, plaintiff John Carfagno ("Carfagno") filed his opposition to defendants' motion to dismiss on June 5, 2008;

WHEREAS, defendants were to file a reply on or before June 19, 2008;

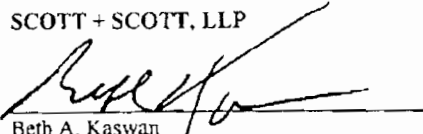
WHEREAS, discovery is proceeding, defendants have produced over 77,000 pages of documents to plaintiff Carfagno, and plaintiff Carfagno's counsel has noticed and taken the depositions of five individuals in connection with this litigation;

WHEREAS, the parties agree that judicial economy is best served by the Court's consideration of the issues in this litigation on the factual record, the parties hereby stipulate and agree, subject to the Court's approval, that:

1. Defendants' motion to dismiss is hereby withdrawn without prejudice; and
2. The parties will promptly meet and agree upon an appropriate scheduling order to be entered in this matter.

Dated: June 19, 2008  
New York, NY


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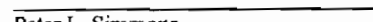
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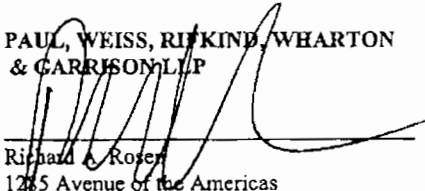
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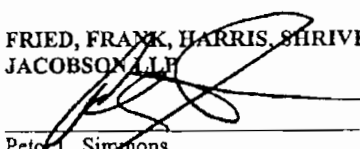


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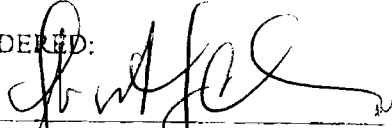
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*Counsel for Nominal Defendant Centerline Holding  
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A conference is scheduled for May 30, 2008, at 4:00 p.m.

SO ORDERED:

  
The Honorable Shira A. Scheindlin  
U.S. District Judge

6/19/08